

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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FRANCISCO MENA,	:	
	:	
	:	Civ. Action No. 13-1508 (SRC)
Petitioner,	:	
	:	
v.	:	<b>OPINION</b>
	:	
UNITED STATES OF AMERICA,	:	
	:	
Respondent.	:	

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**CHESLER**, District Judge

This matter comes before the Court upon a Petition for a Writ of Error Coram Nobis (ECF No. 22), filed in Petitioner's closed Section 2255 proceeding on May 3, 2014. Respondent filed a response in opposition (ECF No. 25).

This matter is duplicative of Petitioner's Civil Action No. 14-3215 (SRC) (Pet., ECF No. 1), filed on May 2, 2014, which was dismissed on the merits by this Court on May 28, 2014. (14-3215, ECF Nos. 2, 3.) A district court may dismiss duplicative actions. See Johnson v. Merline, Civ. Action No. 07-2184 (JBS), 2007 WL 1456195, at \*1 n.1 (D.N.J. May 14, 2007) (dismissing duplicative habeas petition); Clayton v. District of Columbia, (pursuant to Fed. R. of Civ. P. 42(a), a "court can generally decide instead to dismiss a duplicative and later-filed action, stay a later-filed action pending resolution of the previously

filed action, or enjoin the parties from proceeding with a later-filed action.")

For these reasons, in the accompanying Order filed herewith, this Court will dismiss the petition (ECF No. 22).

**Dated: August 17, 2015**

s/ Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge